- Edited by C. E. T. SCHARPS =

SAYS AUTO TAX VIOLATES LAW

Unconstitutional, Terry Argues Before U. S. Supreme Court .

SHOULD NOT COLLECT FROM NON-RESIDENTS

Interference with Interstate Traffic Is Another Point

Charles Thaddeus Terry as general Chamber of Commerce and Ex-Governor John W. Griggs for the Amerider the Fourteenth Amendment thereof. constitutionality of the New Jersey law imposing a tax on motor vehicles belonging to and used by non-residents of the state while engaged in inter-

New York state, for instance, has illected this year more than \$2,500,000 car and chauffeur fees which plainly rexceeds the cost of the licensing occas. This is the feature which it argued makes the law which it

process. This is the feature which it is argued makes the law unconstitutional.

The case in question is that of Frank Kane vs. State of New Jersey, sane, who had registered his car in lew York State, where he lived, was rrested in Paterson on his way to ennsylvania. Kane had a New Jersey driver's license, but had not registered his car. He was convicted and need for a violation of three provisions the New Jersey law, to wit; First, at he had failed to register his maine in the State of New Jersey; and cond, that he had failed to pay the imposed by that state on non-resinute; and, third, that he had failed the with the Secretary of State to reversely the service in his behalf in any produing brought against him in violational productions. All motorists who have had the misfortune to fall foul of the motorcycle service in his behalf in any produing brought against him in violations.

My Wilson plans to sue, and, what is more, Huddy is going to take up the case with the Bistrict Attorney of Nassau County, because he says it is no violation of the state motor vehicle or highway laws to do what the policeman and magistrates in Nassau County charge as a crime "to turn out of his with the Secretary of State to reve service in his behalf in any produing brought against him in violations."

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Now Wilson plans to sue, and, on the case with the Bistrict Attorney of hassau County, because he says it is no violation of the state motor vehicle or highway laws to do what the policeman and magistrates in Nassau County, because he says it is no violation of the state up the case with the Bistrict Attorney of hassau County, because he says it is no violatio

is unreasonable, because a lump sum is charged, irrespective of the question how much or to what extent the automobile uses the roads. For example, the same fee is charged for the right of the automobile to go from the ferry house to the Hoboken pier of a transatlantic tiner, which is just a few hundred yards, as is charged to the automobile which traverses the roads of the state for a whole year, covering thou state for a whole year, covering thou-sands of miles. Thus the charge is un-count, dispreportionate and not upon any scientific or logical basis, and therefore improper and illegal.

3. The improved roads of a state are

suming that the "license fee" is a charge for the use of the roads, it is not imposed equally upon all the users of the roads. Horse drawn vehicles use the roads, and use up and destroy the roads in a large degree, and, therefore, if the tax were to be an equal and uniform tax, it must be imposed upon horse drawn vehicles as well as upon automobiles.

5. The requirement that before any non-resident shall use the highways of the state he must fle a power of attorney with the Secretary to receive service of process for him, is ousting him of his domicile and imposing a requirement which is not imposed upon any other class of non-resident citizens of the United States going into the State of New Jersey. It is assuming in advance that the automobile user is likely to commit a criminal act, which is absurd on the face of it. He is no more likely to commit a criminal act than any other non-resident entering the State of New Jersey, and, even if he were, such a method of enforcing the criminal law is unknown to our jurisprudence.

6. The requirement of a power of

There is now before the Supreme Court of the United States a case argued recently at Washington by Charles Thaddeus Terry as general counsel for the National Automobile Chamber of Commerce and Ex-Gov-leading the criminal law is unknown to out jurisprudence.

6. The requirement of a power of attorney from non-residents and the requirement that before the highways shall be used by non-residents they shall make application and dents they shall make application and the out registration, are burdens on interstate commerce which the Constitution of the United States forbids until the criminal law is unknown to out jurisprudence.

NOTES AT RANDOM

of the state while engaged in interstate commerce.

If a decision is given against the State of New Jersey it will have a bearing on all the so-called reciprocity clauses of the motor vehicle laws of all the states. At the present time they either limit the period for which motorists may remain in the state without taking out a new license to a certain definite number of days, or else exempt them for the period granted by the motorists' home state to visitors.

But even more important, it may affect the question of registration as a whole on the ground that the fees charged for registering motor vehicles are far in excess of the expense of the actual machinery of registration and therefore constitute a tax for revenue and as such a special discriminatory and confiscatory tax.

The point made by Messrs. Terry and Giriggs is: "Governmental authorities have no power or right to exect license taxes for revenue purposes in excess of the aum necessarily required as the cost of the process of licensing because if they have such power, they have the power to confiscate or destroy. The exercise of any such power as applied to a motor vehicle would be clearly unconstitutional."

New York state, for instance, has collected this year more than \$2,500,000.

heard at once, but it was twenty-seven days. When the case came up again last Wednesday Xeno-phon P. Huddy, together with others ready to testify for Wilson, appeared in court, Judge Norton is quoted as

Just because a motorist puts a bumper on the front of his car it is no guarantee that he will come off uncarted when he runs into anything. The majority of bumpers we have seen a reather flimsy affairs, and although they do give the radiator some protection in the case of a rear-end collision in traffic, they aren't much more is automobile.

points made before the in an effort to have the last in an effort to have the last in the fees charged for the operation of automobiles over the highways of Xew Jersey result in a large surplus revenue to the state over and above the expenses of examination, licensing, registering and inspecting the automobile traffic on the highways, the charge is a tax which is not in conformity with proper tax laws in that the motor vecicle is burdened with a heavy impost, ir respective of its value, whereas other property is taxed only according to its value.

3. The so-called "license fee," being callity a tax, as shown by point areasonable and void, as such even assuming that it is use of a special favored roads fur.

Seven assuming that it is use of a special favored roads fur.

Jersey, it is sum the last few weeks or so of four is automobile of the property is taxed only according to its value.

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Jersey is the sum to have the each of the property is taxed only according to its value, whereas other property is taxed only according to its value.

Applications for, 1917 number plates already are in the hands of motorists, and they should be filed with all possible haste where folks are keeping their cars for another season. The plates have to be on the cars after the plates have to be on the cars after the plates have to be on the cars after the plates have to be on the cars after the plates and unless automobiles do something to help out the Secretary of State's office there will be an unusual is much the last few weeks or so of four is a bump.

FOR BOUR-DAVIS LINE

on the four-cylinder chassis.



tographer, is shown here on the extreme edge of Overhanging Rock, at Glacier Point, in the Yosemite National Park. It is 3,240 feet to the valley below, and

OVERSIZE TIRES ARE IMPORTANT

Tribune Reader Offers Advice to New Buyers

MORE MILEAGE, LESS EXPENSE, HIS IDEA

Can Be Run with Less Inflation, Another

A recent table of the Goodyear company shows for each section diameter the smallest carrying capacity a wheel and also the largest capacity, the largest capacity in each case being just twice the smallest. The average man would assume that the proper use which should be paid for out of the general tax fund in the same way that the police force and the Fire Department are afforded for the use of all the citizens, irrespective of the amount of user. Therefore, no special charge or impost can be levied for their use to any particular class of users.

4. That the law is discriminatory and class legislation in that, even as
Since the proper use of such a tire would assume that the proper use of such a tire would assume that the proper use of such a tire would be midway between these extremes, but this has not been the practice of most automobile manufacturers. They have put upon the tire the greatest weight that it is finely to pound the proper use of such a tire would assume that the proper use of such a tire would be midway between these extremes, but this has not tween these extremes, but this has not the tire these extremes, but this has not to such a tire would be midway between these extremes, but this has not the tire these extremes, but this has not the tire these extremes, but this has not to such a tire would be midway between these extremes, but this has not tween these extremes, but this has not the tire these extremes, but this has not to such a tire would be midway between these extremes, but this has not the tire these extremes, but this has not the tire these extremes, but this has not to such a tire would be midway between these extremes, but this has not the tire these extremes, but this has not the tire these extremes, but this has not to such a tire would be midway between these extremes, but this has not the tire these extremes, but this has not the same would assume that the proper use of such a tire would be midway between these extremes, but this has not the tire these extremes, but this has not the tire these extremes, but this has not to such a tire would assume that the proper use of such a tire would assume that the proper use of such a tire would assume that the proper use of such a tire would assume that the proper use of such a tire

they do give use of a rear-contection in the case of a rear-contection in the case of a rear-contection in the case of a rear-contection in the coller events are the best farm ornaments to the car, at the best farm of the other events were carefully helped to solid be not of the spring horns. Bumples in the middle and certainly helped to not be better than postage ers ought to be better than postage sith stamps—that is, good for use more than sone.

Applications for 1917 number plates to the great advantage of insisting upon what is known as the "oversize" to its already are in the hands of motorists, and they should be filled with all posping their cares for another season, and they should be filled with all posping their cares for another season, as and they should be filled with all posping their cares for another season, as and they should be filled with all posping their cares for another season, as and they should be filled with all posping their cares for another season, as the state of the care of the c

the capacity of tires the cross section of which measures 3½, 4, 4½ or 5 inches.

In practice the tire companies disregard the main diameter and figure carrying capacity on the cross section. water, oil and gasolene and the full complement of passengers, and dividing this among the four wheels according to the proportion which each will carry, the recommended weight for cross section diameters of tire, together with the corresponding inflation pressures, as shown by the above mentioned Goodyear company diagram, is as fol-

are stamped with the inflation correponding to this extreme use of the tire.

It should be noted that there is really no more initial expense in having the oversize tires, a set of four with one spare casing being all that is necessary, as compared with a constant of the foreign and the nat week perhaps with only two passengers and then at week perhaps with only two passengers, and then at week perhaps with only two passengers, as compared with a constant is necessary, as compared with a constant is recessary, as compared with the regular size and two spares. The price of the five oversize is revening the necessary, as compared the necessary, as compared with one spare than it is with the regular size and two spares. The price of the five oversize is very nearly the same as the price for the six regular casing which are life inflation, but they would be same kind of use as the regular size of the five oversize it very with one spare than it of the oversize tire will travel field.

The inner tubes of the smaller size can be used in the larger casing which are inflation, but they would be same kind of use as the regular size in the constant to the constant of the constant to the co

Franklin and Jordan being two of these.

The purchaser should beware of those cars which use the so-called oversize, for there is no guarantee that a 35-4½ tire is oversize for the car on which it is placed. It is much more probable that the true oversize for such a car would be 365, and in such case may be particularly unfortunate in that the tire seat will not accomodate the true oversize and that some expense must be incurred to obtain it. In such cases it may be well to consider the advantages of substituting wire

there it is:

"I had the pleasure of talking to-day with
a gentleman who has driven 20,000 miles
with Royal Cord tires on the rear wheels of
his car, and they are still there, while the
fabric tires that started on the front at the
same time have been resting in the junk yard
for some while. You can well believe he was
boosting Royal Cords."

In such cases it may be well to consider the advantages of substituting wire wheels. While these are now an expensive addition, they have some very definite advantages, particularly in regard to resiliency. This is not so obvious with automebiles, but no one would think of riding a bicycle with wooden spokes.

Alford with Nash Again

W. H. Alford, formerly controller of the General Motors Company, has rejoined his old chief, C. W. Nash, as vice-president and controller of the Nash Motors Company, manufacturers of Jeffery motor cars and trucks.

The Harroun Motors Corporation and numbers is intention of making all contracts with dealers on a five-year basis, instead of with dealers on a five-year basis, instead of the one-weight for one provided with dealers and dealer's contract's for one would think of riding a bicycle with wooden spokes.

CHARLES E. MANIERRE.

Alford with Nash Again

W. H. Alford, formerly controller of the General Motors Company, has rejoined his old chief, C. W. Nash, as vice-president and controller of the Nash Motors Company, manufacturer whom he can represent.

"Owners of cars sold by the first dealer are forced to go to the second for service and supplies—a condition not favorable to transfer the Nash Motors Company, manufacturers of Jeffery motor cars and trucks.

Motor Cars and Motorists

= Edited by C. E. T. SCHARPS =

NEWS OF NEW MODELS

Driven entirely in "high" from Butler, Penn., over the Alleghany Moun-tains to New York, the 1917 model Standard eight has arrived, piloted by Sydney G. Duffy, of the Duffy Motors Corporation. The 1917 model Standard eight is now in this city. The new Standard is claimed to be the only eight-cylinder car having magneto

The car has a 127-inch wheelbase and is finished in optional colors of standard green, blue or gray. Among other specifications are 80-horsepower motor, "V" shape; bore, 31/4 inches;

motor, "V" shape; bore, 3% inches, stroke, 5 inches; power driven tire pump and one-man top.

The prices f. o. b. Butler, Penn., are: Springfield Sedan, \$2,500; limousine, \$3,500; seven-passenger touring car, \$1,900, and four-passenger roadster, \$1,850.

The new Owen magnetic coupe is now on exhibition at Broadway and Fifty-seventh Street. The car was especially designed for women to drive. The coupe is for three passengers, but an extra seat for a fourth passenger is provided, which folds out of sight when not in use. The car has a wheelbase of 125 inches and a short turning radius so as to make it easy to handle or turn in narrow city streets. There is ample room under the rear deck to carry a large amount of luggage for a week-end, visit or a fortnight's tour.

wire wheels are used as regular equipment.

Two new Jeffery sedans have been brought cut by the Nash Motors Company, of Kenosha, Wis. One feature is the extra large size of the French plate windows. These drop five inches to give ventilation in warm weather and are designed to give good circulation of air without permitting a draft on the heads of the passengers. The rear window measures 31x19½ inches. Divided front seats eliminate the need of fore doors and also do away with the panel between the front window and the rear door.

Gray whipcord upholstery and roll down and the rear door.

Gray whipcord upholstery and roll curtains on the windows are other details of finish. Another touch is the large dome light in the centre of the large dome li

COMING SHOW A RECORD VIEW

Ninety-eight Auto Makers to Exhibit at Grand Central Palace

ALL CAR SPACE HAS BEEN TAKEN UP

Seventeen Companies Are Newcomers to the N. A. C. C.

Statements and prophecies that the coming automobile show in Grand Cen-tral Palace, January 6 to 13, will be the "greatest ever" appear to be borne out by the list of exhibitors of cars gives

herewith.

All available exhibition space, a total of 112,000 square feet on four floor, has been allotted and there is a waiting list of concerns who would like to show

list of concerns who would like to show their products.

All the space allotted to car exhibi-tors was filled at the first drawing. It has been found necessary to take space on the fourth floor usually given were to accessory displays in order to ac-commodate ten makes of cars. The the allotment and drawing took like accessed weeks ago, ninety-eight makes

of luggage for a week-end, visit or a fortnight's tour.

A new series of Mercer cars, known as 22-73 models, has just been announced. The streamline effect which has characterized Mercer cars for the last two years is closely adhered to. This company still holds to the manufacture of four-cylinder motors only, its entire effort being concentrated on one type of chassis.

Four models constitute the 22-73 Four models constitute the 22-73 series—a six-passenger touring car, a sporting model with a carrying capacity of four passengers, a two-passenger runabout and the raceabout. The first mentioned two models have a wheelbase of 132 inches, and 115 inches is the wheelbase of the runabout and the raceabout.

All tools are carried in compartments built into the front doors. The auxiliary seats of the six-passenger touring model when not in use are neatly inclosed in compartments built into the front seat. These compartments are covered with walnut panelling. Doors that roll out of sight, just like a roll top desk cover, hide the extra seats from view when they are three separate compartments built into tin use.

Hack walnut panelling is also used back of the front seats on the four-passenger sporting model. There are three separate compartments built into under the centre cowl. The middle one is large enough to conveniently carry an average sized suitcase. The others can be used to carry miscellaneous items.

The raceabout model is designed for matter sportsmen who want a car for matter apportsmen who want a car for large leaves of the size of the compartments with the last year. The list is:

to accessaby a protect which chains and car for the allotment and drawing took place were assigned space. Of this first the allotment and crark and cars for the allotment and drawing took place were assigned space. Of this the allotment and crark and cars for the allotment and drawi

Sun Motor Car Co., Elihart, Ind.

Fourth Floor
American Motor Co., Plainfield, N. J.
Barley Mfg. Co., Streator, El.
Bay Hoteric Co., New Lower,
Dixlo Motor Car Co., Long Hand
Lawroom, Motor Corp., Detroit,
Lordan Motor Corp., Detroit,
Jordan Motor Car Co., Cleveland,
Kest Motor Corp., 1799 Broadway, N. J. Chr.
Monitor Motor Co., The Broadway, N. J. Chr.
Princess Motor Car Co., Detroit,
Princess Motor Car Co., Detroit,

